

# Summary of the Dignity for Women Who are Incarcerated Act (SL 2021-143)



*Applies to all prison and jail facilities in North Carolina*

## The Act prohibits the following during pregnancy and through six weeks postpartum:

- Use of restraints during the second and third trimester, labor and delivery, and six weeks postpartum.\*
- Body cavity searches.\*
- Restrictive housing (solitary).\*

## In addition, the following guidelines apply during pregnancy and through six weeks postpartum:

- Beds must be no more than 3 feet from the floor.
- Nutritional and hygiene products shall be provided at no cost.
- Correctional facility must provide sufficient food and dietary supplements, in accordance with prenatal nutrition guidelines or physician's order, at appropriate times of the day.
- Prenatal, labor, and delivery care will be provided at no cost to the incarcerated person
- The full range of hospital meal options should be provided while incarcerated person is hospitalized.
- The newborn is permitted to remain with the mom while in hospital, unless their medical provider has reasonable belief that this presents health or safety risk to the newborn.

## Parenting-specific guidelines:

- Incarcerated persons with children under the age of 1 year shall be placed within 250 miles of the child to the greatest extent practicable.
- Incarcerated persons held in low- or minimum-security facilities who have a child under the age of 1 shall be allowed contact visits at least twice per week.\*

## Guidelines which apply to all female incarcerated persons:

- To the extent practicable, male employees shall not perform inspections of undressed female incarcerated persons if a female employee is available within a reasonable amount of time.\*
- Sufficient menstrual products must be available to all female incarcerated persons with an active menstrual cycle at no cost to the individual.

***\*Exceptions may be made by corrections staff for reasonable safety and security concerns. Written report to warden is required within 5 days documenting instance leading to exception, and a monthly summary of all exceptions must be documented. See the [full text](#) for more detail on all provisions of the act.***

### If you believe a violation may be occurring, you can do the following:

- Respectfully inform the law enforcement officer of the Dignity for Women Who are Incarcerated Act (effective December 2021)
- Respectfully ask them to stop (e.g., remove the restraints from the patient)
- If the law enforcement officer refuses, contact the local sheriff's office:  
<https://ncsheriffs.org/sheriffs>
- Report the incident to your supervisor
- Report the incident through <https://incarceratedwomenshealth.org> or via the QR code in this box (for data collection/training purposes only)

